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8 UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 LORENA SUAREZ GUZMAN,

12 Plaintiff,

13 v.

14 PERI & SONS FARMS OF
15 CALIFORNIA, LLC, et al.,

16 Defendants.
17

No. 1:21-cv-00348-NONE-SKO

ORDER DIRECTING THE CLERK TO
TERMINATE DEFENDANT GEORGE
MAINAS

(Doc. 32)

18 On April 29, 2021, the parties filed a stipulation dismissing Defendant George Mainas,
19 without prejudice, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A). (Doc. 32.)

20 In relevant part, Rule 41(a)(1)(A) provides as follows:

21 [A] plaintiff may dismiss an action without a court order by filing: (i) a notice of
22 dismissal before the opposing party serves either an answer or a motion for
23 summary judgment; or (ii) a stipulation of dismissal signed by all parties who have
appeared.

24 Fed. R. Civ. P. 41(a)(1)(A). “The plaintiff may dismiss some or all of the defendants, or some or
25 all of his claims, through a Rule 41(a)(1) notice,” and the dismissal “automatically terminates the
26 action as to the defendants who are the subjects of the notice.” *Wilson v. City of San Jose*, 111 F.3d
27 688, 692 (9th Cir. 1997).
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1 Because the parties filed a stipulation of dismissal without prejudice under Rule
2 41(a)(1)(A)(ii), this case has automatically terminated as to Defendant George Mainas. Fed. R.
3 Civ. P. 41(a)(1)(A). Accordingly, the Clerk of the Court is directed to TERMINATE Defendant
4 George Mainas.

5 This case shall remain OPEN pending resolution of Plaintiff's case against the remaining
6 defendants.

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8 IT IS SO ORDERED.

9 Dated: May 3, 2021

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE